



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 46
Comm #: 54153-9735-97
BRRTS #: 03-43-240683
Site Name: D&V Enterprises
Site Address: 8897 Old 41 Road, Oconto, 54153
Site Manager: Kristin DuFresne
Address: 2894 Shawano Avenue
City, State Zip: Green Bay, WI 54307-0448
Phone: 920-662-5443
e-mail: kristin.dufresne@wisconsin.gov
Bid Manager: Beth Erdman
Address: 2129 Jackson Street
City, State Zip: Oshkosh, Wisconsin 54901-1805
Phone: (920) 303-5410
e-mail: Beth.Erdman@Wisconsin.Gov

Bid-Start Date:	11/20/06
Questions must be received by (See Section 2 (B)):	12/4/06, 4:00 PM
Responses will be posted by (See Section 2 (B)):	12/22/06
Bid-End Date and Time:	1/5/07, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Digital Printing Innovations, 304 High Avenue, Oshkosh, WI 54901
Phone: (920) 235-1800 Fax: (920) 235-6449

SECTION 2 – Site-Specific Bid Requirements

General Comments:

Dumke Brothers Farm Supply is located at W8897 Old 41 Road, Oconto, in southeastern Oconto County. One 300-gallon gasoline underground storage tank (UST) was removed from the property in December 1999. The site is located up-gradient from County Line Implement (WDNR BRRS # 03-38-207231 and Commerce# 54157-9686-12) which was conditionally closed by the Department of Natural Resources (DNR) in October 2006.

Fifteen soil borings and five hand auger borings have been advanced to a maximum depth of 45 feet below ground surface (bgs). Subsurface conditions consist of sand, silty sand and gravel overlying dolomite bedrock, located between nine and 10 feet bgs. On August 14, 2004, approximately 338 tons of contaminated soil was excavated. The excavation extended to bedrock. Soil petroleum contamination exceeds Wisconsin Administrative Code (WAC) chapters NR 720 Table 1, NR 746 Table 1 and NR 746 Table 2 values.

Twelve monitoring wells and two piezometers have been installed. Seven monitoring wells are screened from four to nine feet bgs in the unconsolidated material above the dolomite, five monitoring wells are screened from 15 to 30 feet bgs within the dolomite and two piezometers are screened from 40 to 45 feet bgs within the dolomite. In addition to the above, Dumke Brothers have assumed ownership, from County Line Implement, of nine monitoring wells and two piezometers. Seven monitoring wells are screened from approximately four to nine feet bgs in the unconsolidated material above the dolomite, two monitoring wells are screened from 15.5 to 30.5 feet bgs within the dolomite and two piezometers are screened from 41 to 46 feet bgs within the dolomite. Depth to groundwater ranges from three to 18 feet bgs. Groundwater contamination exceeds WAC chapter NR 140 enforcement standards (ES).

One inch of free phase petroleum was measured in monitoring well MW1 in August 2000; no product has been measured in any site monitoring well or piezometer since that date. Nine potable wells have been identified and sampled near the site. Groundwater concentrations in the potable wells are below WAC drinking water standards.

The water in the basement sump at W5140 East County Line Road has been sampled twice with analytical results below the WAC chapter NR 140 preventive action limits. Air samples collected from the basement of this residence did not indicate the presence of petroleum vapors.

Minimum Remedial Requirements:

Within 45 days of signing the contract with the responsible party (RP) the winning bidder must collect one quarterly round of groundwater samples from monitoring wells MW1R, MW3, MW6, MW7, MW8, MW9, MW10, MW200 and MW900, piezometers PZ2 and PZ11 and potable wells located at W8897, W5140 and W8894. Groundwater samples must be laboratory analyzed for petroleum volatile organic compounds (PVOCs) and naphthalene. Following the initial sampling event and upon receiving DNR approval for each subsequent sampling event, collect three additional quarterly rounds of groundwater samples from the monitoring wells, piezometers and potable wells directed by the DNR. Water

elevations are to be measured from all 21 monitoring wells and 4 piezometers prior to each sampling event.

Groundwater analytical results, groundwater elevations, in tabular format, and an updated groundwater flow map must be submitted to Commerce and DNR via hard copy quarterly or as required in number 3) Reporting Timeframes, in Section 2.A. of this bid document, whichever is first. The reports from 3) Reporting Timeframes, in Section 2.A. of this bid document must also be submitted using the Commerce Web Reporting Application available at <http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>. If results warrant, a request for case closure, including complete GIS Registry packet, is to be submitted prior to collection of four quarterly rounds. If closure is granted, abandon the 21 monitoring wells and 4 piezometers.

Following completion of monitoring activities dispose of any purge water generated during site activities. Currently, there are no 55-gallon drums being stored on-site.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in

this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: D&V Enterprises
COMMERCE #: 54153-9735-97
BRRTS #: 03-43-240683

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
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Department of Commerce PECFA Program

SITE NAME: D&V Enterprises
COMMERCE #: 54153-9735-97
BRRTS #: 03-43-240683

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Quarterly Groundwater Monitoring – Monitoring Wells per well (include analytical cost)	\$ _____
2	Number of Monitoring Wells	9
3	Number of Monitoring Events	4
4	Monitoring Well Monitoring Subtotal (Row 1 x Row 2 x Row 3)	\$ _____
5	Quarterly Groundwater Monitoring Event – Piezometers per piezometer (include analytical cost)	\$ _____
6	Number of Piezometers	2
7	Number of Monitoring Events	4
8	Piezometer Monitoring Subtotal (Row 5 x Row 6 x Row 7)	\$ _____
9	Quarterly Groundwater Monitoring Event – Potable Wells per event (include analytical cost)	\$ _____
10	Number of Potable Wells	3
11	Number of Monitoring Events	4
12	Potable Well Monitoring Subtotal (Row 9 x Row 10 x Row 11)	\$ _____
13	Documentation (reports, correspondence, etc.)	\$ _____
14	Closure and GIS Packet Preparation	\$ _____
15	Monitoring Well Abandonment – Shallow Wells per well	\$ _____
16	Number of Shallow Monitoring Wells	14
17	Shallow Well Abandonment Subtotal (Row 15 x Row 16)	\$ _____
18	Monitoring Well Abandonment – Bedrock Wells per well	\$ _____
19	Number of Bedrock Monitoring Wells	7
20	Bedrock Well Abandonment Subtotal (Row 18 x Row 19)	\$ _____
21	Piezometer Abandonment per piezometer	\$ _____
22	Number of Piezometers	4
23	Piezometer Abandonment Subtotal (Row 21 x Row 22)	\$ _____
24	Disposal of Purge Water	\$ _____
25	PECFA Claim	\$ _____
25	Bid Total	\$ _____